IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION Nos : 1557 of 2005 &1558 of 2005

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WRIT PETITION NO : 1557 of 2005

Between:

B.Manohar Reddy, s/o late B.Muthyam Reddy,
r/o 1-2-605/A/1, Daira Village, Lower Tank Bund, Hyderabad.

..... PETITIONER

AND

1 Hameedunnisa Begum (died per LRs) 1. Habeeb Mohd, s/o Mohd.Khaja Sharfi,
2 Hafeezunnisa Begum, d/o late Mohd.Khaja Sharfi,
3 Rafia Begum, d/o late Mohd.Khaja Sharfi,
(R.Rs.21-4-827/6, Petla Burz, Hyderabad.)
4 The Court of the Special Tribunal (Land Grabbing Prohibition Act)-cum-Chief Judge, City Civil Court at Hyderabad.
5 Raghava Auto Works, rep., by Manager
6 Fine Auto Works, rep., by Manager
7 B.Manohar Reddy & Sons
8 Cosmo Auto Clinic (P) Ltd., rep., by Manager
9 B.Manohar Reddy Kalyana Mandapam rep., by B.Manohar Reddy
10 Taher Mahi,
R/o Opp.Indira Park, Hyderabad. (R.Rs.5 to10 are not necessary in this Writ Petition)

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of certiorari calling for the records therein I.A.No.3852/2004 in OP No.1235/1993 dt.30-12-2004 on the file of the Court of the Special Tribunal constituted under A.P.Land Grabbing (Prohibition) Act cum-Chief Judge, City Civil Court, Hyderabad and to quash the same as illegal and arbitrary and violative of Art.14 of the Constitution of India and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.V.V.N.NARAYANA RAO

Counsel for the Respondents: None.

And

W.P. No. 1558 of 2005

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

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WRIT PETITION NO : 1558 of 2005

Between:

B. Manohar Reddy S/o Late B. Muthyam Reddy
R/o 1-2-605/A/1 Daira Village, Lower Tank Bund Hyderabad

..... PETITIONER

AND

1 Hameedunnisa Begum (Died per LRs)
2 Habeeb Mohd, S/o Mohd, Khaja Sharfi
3 Hafeezunnisa Begum D/o late Mohd Khaja Sharfi
4 Rafla Begum D/o late Mhod Khaja Sharifi
(R.Rs. 21-4-827/6, Petla Burz Hyderabad

5 The Court of the Special Tribunal (Land Grabbing Prohibition Act)-Cum-Chief Judge, City Civil Court
Hyderabad
6 Raghava Auto Works, rep by Manager
7 Fine Auto Works, rep by Manager
8 B. Manohar Reddy & Sons
9 Cosmo Auto Clinic (P) Ltd., rep by Manager
10 B. Manohar Reddy Kalyana Mandapam rep by B. Manohar Reddy
11 Taher Mahi
r/o Opp. Indira Partk Hyderabad

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Certiorari calling for the records therein I.A. No. 4725/03 in O.P. No. 1235/1993 dt 5-4-2004 on the file of the Court of the Special tribunal constituted under A.P. Land Grabbing (Prohibition) Act-cum- Chief Judge, City Civil court, Hyderabad and to quash the same as illegal and arbitrary and violative of Art 14 of the Constitution of India and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner:MR.V.V.N.NARAYANA RAO

Counsel for the Respondents : None

The Court made the following Common Order: (per Sri Devinder Gupta, CJ)

In Writ Petition No. 1558 of 2005, order dated 5.4.2004 allowing I.A. No. 4725 of 2003 in O.P. No.1235 of 1993 was under challenge and in writ Petition No.1557 of 2005, order dated 30.9.2004, dismissing I.A. No.3852 of 2004 to have the order dated 5.4.2004 set aside is under challenge.

Amendment was allowed after notice when there was no opposition. After amendment, the case was proceeded, evidence was being recorded and at that stage application in I.A. No. 3852 of 2004 was filed by the petitioner herein to set aside the order passed in I.A. No. 4725 of 2003. The said petition was dismissed by a reasoned order on the ground that petitioner has not been vigilant in his trial.

In exercise of our Writ Jurisdiction, we do not see any ground to interfere at this stage with the interlocutory orders. Petitioner, however, is reserved liberty to challenge the impugned orders, in case, ultimately petitioner might have to challenge the final orders to be passed in O.P. No. 1235 of 1993.

The writ petitions are accordingly dismissed. No costs.

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DEVINDER GUPTA, CJ

Date: 3rd February, 2005

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M. NARAYANA REDDY,J

Pnb

To

1. The Court of the Special Tribunal (Land Grabbing Prohibition Act)-cum-Chief Judge, City Civil Court at Hyderabad.

2. Two C.D. copies